

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD A BUDGET MEETING ON THURSDAY, MARCH 30<sup>th</sup>, 2006, AT 6:00 P.M., IN THE MULTI-PURPOSE MEETING ROOM LOCATED IN THE WORKFORCE DEVELOPMENT CONSORTIUM BUILDING.

THERE WERE PRESENT:     Wayne Angell, Chairman  
                                     Charles Wagner, Vice-Chairman  
                                     Leland Mitchell  
                                     David Hurt  
                                     Charles Poindexter  
                                     Russ Johnson  
                                     Hubert Quinn

OTHERS PRESENT:         Richard E. Huff, II, Co. Administrator  
                                     Bonnie N. Johnson, Asst. Co. Administrator  
                                     Christopher L. Whitlow, Asst. Co. Administrator  
                                     Vincent K. Copenhagen, Director of Finance  
                                     Sharon K. Tudor, CMC, Clerk  
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Chairman Wayne Angell called the meeting to order.  
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Rick Huff, II, County Administrator, shared with the Board agenda items for Thursday night as follows:

**BIG PICTURE FY '07**

Richard E. Huff, II, County Administrator, shared with the Board the following:

**Franklin County  
Proposed FY06-07 Budget  
"Big Picture"**

Budget Increase from FY05-06	\$	9,419,706	
Fund Balance-2 Large Capital projects		(1,290,000)	-14%
Non Local School Funds		(5,384,263)	-57%
Increase in State Car Tax Relief		(109,202)	-1%
State Sales Tax		<u>(518,357)</u>	-6%
= Local Government Increase	\$	<b>2,117,884</b>	<b>OR         22.5% of Budget Increase Comes From Local Tax Dollars and Fees</b>

There is NO Surplus Created in Next Year's Budget. Due to prudent budgeting and conservative fiscal management by the Board, there is ~\$1.3 million available in our Fund Balance to help with large capital projects in FY'07.

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**PPTRA – CAR TAX CALCULATIONS**

Vincent K. Copenhagen, Director of Finance, presented the Board the following executive summary for the Personal Property Tax Relief as follows:

**Personal Property Tax Relief  
Executive Summary for the Franklin County Board of Supervisors**

In 1998, the General Assembly enacted the Personal Property Tax Relief Act (PPTRA or the Act), which provided relief from personal property taxes otherwise payable on the first \$20,000 of value for qualifying vehicles. This relief was provided for vehicles owned by individuals and utilized for personal use. Additionally, vehicles with an assessed value of \$1,000 or less receive 100% relief. Relief is provided by the Commonwealth through payments to localities of amounts which would otherwise be taxed to citizens. The original intent of the Act was to phase-in tax relief such that the Commonwealth would ultimately cover the full cost of personal property tax of the eligible vehicles. The Commonwealth's plan of implementing the tax was dependent upon growth in State revenues sufficient to cover the increasing annual cost. Currently, the Commonwealth provides

70% relief on qualifying vehicles. The amount of relief provided by the Commonwealth has been at this level for several years.

In 2004 and 2005, additional legislation was passed to amend the original Act. This legislation capped PPTRA at \$950 million for all Virginia localities for Tax Years 2006 and beyond. PPTRA funds will be allocated to individual localities based on each government’s pro rata share of Tax Year 2004 payments from the Commonwealth. Franklin County is scheduled to receive \$2,626,618 in the upcoming fiscal year.

Last year we decided to go with the specific relief method, which calls for a percentage of relief to be applied to qualifying vehicles, similar to the method used now. While the percentage of relief will decline annually assuming growth in the assessed value of personal property, the tax payer will receive a personal property bill which is most consistent with the type of bill currently utilized. The specific relief method is fairly efficient and effective to implement since it uses a tax method most consistent with the one currently in place.

Our percentage of relief will be approximately 64.21% based on the following calculations:

2006 Qualifying Vehicle Value	\$244,962,115
Tax Rate	1.67
Total Tax	4,090,867
Tax Relief to be Received from State	2,626,618
Percentage (%) of Relief	64.21%

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CAPITAL BUDGET

Richard E. Huff, II, County Administrator, shared with the Board a summary of all Capital Improvement Projects by Department.

County of Franklin								
Summary of all Capital Improvement Projects by Department								
March 14, 2006								
			Total Amount	Total Amount	Total Amount	Total Amount	Total Amount	
			Request ed	Request ed	Request ed	Request ed	Request ed	Five Year
Department		Project	FY 2006-2007	FY 2007-2008	FY 2008-2009	FY 2009-2010	FY 2010-2011	Total Request ed
Aging Services		Mini-Bus Van Replacement	45,000	45,000	45,000	45,000	45,000	225,000
Building								
Inspections		Vehicle Replacement	14,425	14,853	15,298	15,757	16,308	76,641
E911		CAD & Mapping Server/PC Upgrade	25,000					25,000
		E911 Set Aside	100,000					100,000
Economic								
Development		Economic Development Set Aside	50,000					50,000
		Business Park Set Aside	95,000					95,000
General		Tech Start Parking	80,000					80,000
Properties		Office Space Rehab (Former Library)	1,000,000					1,000,000
		Department Truck Replacement	25,000	12,500				37,500
		(1986 Section) Courthouse Roof Replacement	25,000	20,000				45,000
		Jail (Dorm Section) Roof Replacement	17,250					17,250

		Replace Roof on Goode Building		38,475				38,475
Information		Appl Software Building, P&Z	141,000					141,000
Technology		IT Storage Solution	33,500			20,000	25,000	78,500
		IT Security Assessment		20,000				20,000
		IT Disaster Recovery & Prevention	23,250				10,200	33,450
		Disaster Recovery Planning & Business Contingency		60,000				60,000
		Application Software - Property Assessment		80,000				80,000
		Application Software - On-line Tax Payments for Citizens			60,000			60,000
		Develop of 4 Foot Digital Contour Intervals	31,000					31,000
		Computer Replacement	50,000	40,000	40,000	40,000	40,000	210,000
		Wireless Infrastructure Briar Mtn/Cooks Knob	38,000					38,000
		Crystal Reports Server	30,000					30,000
		Fiber Connectivity to New Workforce Ctr	30,000					30,000
		GIS - ESRI ArcSDE Spatial Data Server	14,700					14,700
		Active Directory Distribution	11,000					11,000
		Network Switch Upgrade	20,000	12,000	20,000	35,000	15,000	102,000
		PBX Phone System Upgrade	24,000	18,000			20,000	62,000
		Building Inspection Mobile GPS Units	16,500			15,000		31,500
Parks and Recreation								
		Franklin County Rec Park Rehabilitation	70,000	23,000	10,000	25,000	25,000	153,000
		Trails	35,000	20,000	200,000	200,000	100,000	555,000
		Waid Park Development (Bridge)	290,000	95,000	15,000	20,000	100,000	520,000
		Hales Ford Community Park Development	10,000				200,000	210,000
		Dr Henry King Cmty Park Development	20,000	5,000				25,000
		Comprehensive Parks & Rec System Plan	40,000	10,000				50,000
		Community Park Development	15,000	15,000	15,000	15,000	15,000	75,000
		Maintenance Equipment	35,000	77,000	50,000	30,000	10,000	202,000
		New Recreational Facility Planning & Develop	15,000	20,000			1,050,000	1,085,000
		Windy Gap Community Park Development	100,000	100,000	50,000			250,000
		New Park Acquisition			100,000			100,000
Public Safety		Public Safety Training Center Equipment	10,000	10,000	5,000	5,000	5,000	35,000
		Vehicle Refurbishment	25,000	20,000	15,000	15,000	15,000	90,000

		Fire/EMS Equipment	50,000	50,000	50,000	50,000	50,000	250,000
		Apparatus	598,000	579,000	626,000	403,000	600,000	2,806,000
		Public Safety Stations	200,000	415,000	700,000		750,000	2,065,000
		Non Jurisdictional Capital	25,000	25,000	25,000	25,000	25,000	125,000
Public Works		Collection/Box Sites	105,000	55,000	55,000	55,000	55,000	325,000
		Equipment Replacement	350,000	170,000	100,000	275,000	370,000	1,265,000
		Landfill Development	167,000	150,000	155,000	100,000	100,000	672,000
		Landfill Engineering (includes						
		groundwater corrective action program)	1,006,500	90,000	90,000	90,000	90,000	1,366,500
		Landfill Compliance A/B areas	45,000	45,000	45,000	45,000	45,000	225,000
		Groundwater Studies	30,000					30,000
		Landfill Gas Control	15,000	65,000	65,000	65,000	65,000	275,000
		TLAC Capital Projects	78,300					78,300
Sheriff		Vehicle Replacement	181,500	210,000	213,000	238,500	243,500	1,086,500
		Patrol Assault Rifles	6,750					6,750
		Records Management System	80,000					80,000
Utilities		Water/Sewer Planning		75,000				75,000
		State Water Plan	50,000					50,000
		Utility Service Reserve	100,000	100,000	100,000	100,000	100,000	500,000
Total Local Government Requests			5,692,675	2,784,828	2,864,298	1,927,257	4,185,008	17,454,066
School Projects		Miscellaneous Projects	5,732,041	6,118,944	7,598,923	6,424,653	7,270,910	33,145,471
		Windy Gap Reserve	248,876					248,876
Debt Service Projects:								
		Sewer Plan for Westlake (1)	13,700,000	38,142,400				51,842,400
		Future Branch Libraries (2)	865,000					865,000
		Smith Mountain Lake Park (3)	580,000	540,000	220,000	300,000		1,640,000
		Jail Security and Operations Upgrade (4)		2,000,000				2,000,000
		Landfill Closure/Constr-New Landfill (5)	400,000	254,500	1,629,712	1,629,712	1,629,712	5,543,636
		SML Water Withdrawal Plant (6)	20,000	700,000				720,000
		220 North Water Exten Phase I & II (7)	2,545,400			1,284,000		3,829,400
		Phase II - III Countywide Water Sys (8)	400,000	362,830	2,750,000	1,445,515		4,958,345
		Economic Development Business Park (9)	1,000,000	3,000,000				4,000,000
		Windy Gap Elementary School (10)		11,500,000				11,500,000
		County-Wide Office Space (11)		6,000,000				6,000,000
		Grand Totals	31,183,992	71,403,502	15,062,933	13,011,137	13,085,630	143,747,194
		(1) \$51.8 million at 5.5% for 20 years = annual debt service payments of						

	\$4.34 million					
	(2) \$865,000 at 5.5% for 20 years; annual debt service payments of \$72,383					
	(3) \$1.6 million at 5.5% for 20 years; annual debt service payments of \$137,234					
	(4) \$2 million at 5.5% for 20 years; annual debt service payments of \$167,359					
	(5) \$9.4 million at 6% for 8 years and \$7 million at 6% for 12 years beginning FY2015-2016; annual debt service \$1.5 million for FY09-10 through FY14-15					
	(6) \$720,000 at 5.5% for 20 years; annual debt service payments of \$60,249					
	(7) \$3.5 million at 5.5% for 20 years in the current fiscal year; annual debt service of \$292,878					
	(8) \$4.9 million at 5.5% for 20 years; annual debt service of \$414,911					
	(9) \$4 million at 5.5% for 20 years; annual debt service payments of \$334,720					
	(10) \$7.5 million at 3% for 20 years and \$4 million at 5.5% for 20 years; annual debt service of approximately \$1 million					
	(11) \$6 million at 5.5% for 20 years: annual debt service of \$502,076					
<b>Legend</b>						
Urgent						
Necessary						
Desirable						

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**CAPITAL BUDGET/ROLL-OFF TRUCK/TO BEGIN PROCUREMENT PROCESS**

Mr. Huff requested the Board to authorize staff to solicit bids for the roll-off truck previously approved during the March 21<sup>st</sup>, 2006, Board meeting. Mr Huff advised the board the Board’s Capital Reserve is at \$183,277 and the truck could/would come from this revenue if the Board concurs. The Board concurred with staff’s recommendation.

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**BEHAVIORAL POSITION/PIEDMONT COMMUNITY SERVICES, WRITE UP – SIGNIFICANT PROGRAM**

Discussion was held on the proposed behavioral position request (CSA). The FAPT (Family Assessment and Planning Team) and the School System has endorsed the position.

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**EXTERNAL AGENCIES REQUESTS**

Richard E. Huff, II, County Administrator, briefly highlighted External Agencies proposed budget for 2006-2007 as follows:

County of Franklin Contributions to External Agencies Proposed Budget 2006-2007				
<u>Agency</u>	<u>Board Adopted 2005-2006</u>	<u>Requested 2006-2007</u>	<u>Increase (Decrease)</u>	<u>County Administrator Recommended</u>
Chamber of Commerce	12,000	15,000	3,000	12,000
Retail Merchants	3,000	6,000	3,000	3,000
Center in the Square	5,150	5,500	350	5,150
Franklin Guild	2,000	8,000	6,000	2,000
Smith Mtn Lake Chamber of Commerce	14,000	15,600	1,600	14,000
Free Clinic of Franklin County	13,500	14,000	500	14,000
Family Service of Roanoke Valley	3,000	3,500	500	3,000
STEP	22,000	33,000	11,000	15,000
Science Museum of Western Va	5,500	10,000	4,500	5,500
Virginia Institute of Government	1,500	1,500	0	1,500
Community Partnership for Revitalization	18,750	18,750	0	17,000
Rke Valley Convention & Visitors	10,000	15,000	5,000	15,000
Small Business Develop Center Incubator	6,000	5,000	(1,000)	5,000
Va Museum of Transportation	1,000	5,000	4,000	1,000
Franklin County CASA	5,500	7,000	1,500	5,500
American Red Cross of Franklin County	3,000	3,000	0	3,000

Rotary Club of Franklin County	1,000	1,000	0	1,000
Franklin County Historical Society	1,500	15,000	13,500	5,000
Franklin County Perinatal Education Center	2,500	2,500	0	2,500
Helping Hands of Franklin County	2,000	7,000	5,000	7,000
West Piedmont Business Develop Center	2,500	5,000	2,500	2,500
Phoebe Needles Faith in Action Program	500		(500)	0
Blue Ridge Dinner Theatre	0	10,000	10,000	5,150
Ferrum Express Bus Service	0	4,000	4,000	4,000
The Crooked Road Heritage Music Trail	0	5,000	5,000	0
CONTACT Helpline	0	6,000	6,000	0
Franklin County Youth Center	0	*		0
Blue Ridge Legal Services, Inc.	0	4,481	4,481	0
Opera Roanoke	0	2,500	2,500	0
VA Explore Park	0	25,000	25,000	0
Roanoke Area Ministries	0	3,000	3,000	0
Brain Injury Services of Southwest VA	0	4,784	4,784	0
		* No specific dollar amount requested		
	135,900	261,115	125,215	148,800
Health Department	296,396	317,852	21,456	309,852
Smith Mountain Lake 4-H Center	5,000	7,500	2,500	6,000
Dept of Forestry	13,336	13,336	0	13,336
Patrick Henry Community College	12,541	12,160	(381)	12,160
Virginia Western Community College	3,010	3,110	100	3,110
Piedmont Community Services	53,510	55,115	1,605	55,115
Goodwill Industries (Developmental Center)	49,000	49,000	0	49,000
Western VA EMS Council	8,099	8,099	0	8,099
TLAC	72,075	96,770	24,695	96,770
Blue Ridge Soil & Water Conserv District	4,750	6,000	1,250	6,000
Southern Area Agency on Aging	4,175	4,175	0	4,175
West Piedmont Plan Dist Commission	19,224	23,496	4,272	23,496
Roanoke Valley Alleghany Regional Comm	29,460	34,580	5,120	34,580
Rke Valley Economic Develop Partnership	85,925	86,450	525	86,450
Total	792,401	978,758	186,357	856,943

• **CROOKED ROAD REQUEST FOR FUNDING**

Mr. Huff reported a request for addition funding for the Crooked Road project came in past the cut-off request deadline. It was reported approx. \$10,000 was previously approved by the Board for advertising (3 months ago). The Board stated they would like to see a budget for the funding request and then the Board could address at a later date. The Board requested staff to ask the Director of the Crooked Road to come and make a brief presentation to the Board.

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**ALLOCATION OF EMS BILLING REVENUE FOR FY'07**

Richard E. Huff, II, County Administrator, shared with the Board the following schedule on EMS Billing Revenue/Expenditures:

County of Franklin Schedule of EMS Billing Revenue/Expenditures Fiscal year 2005-2006		
<b>FY06 Total Revenue Budgeted</b>	<b>\$ 189,183</b>	
	<b>Expenditures</b>	<b>Capital Only</b>
Two Nighttime ALS Supervisors		
Salaries and benefits for six months	46,445	
Two Vehicles for the Supervisors	46,000	46,000
Volunteer Coordinator/Training Officer		
(full year funding including benefits)	46,445	
Vehicle for Vol Coordinator/Training Officer	20,000	20,000

Vehicle Replacement for Bennie	30,000	30,000
Extra Supplies	293	
	<u>189,183</u>	96,000

<b>FY06 Total Revenue Budgeted</b>	\$ 323,700	
Admin Fee	\$ (22,659)	301,041
Recurring Staff Expenditures	\$ (143,980)	157,061
Add'l P/F	\$ (45,000)	112,061
Add'l P/F	\$ (45,000)	67,061
Add'l P/F	\$ (45,000)	22,061
Response Vehicle for ALS	\$ (22,000)	61

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**PROPOSED STIPEND POLICY**

Richard E. Huff, II, County Administrator shared with the Board the following proposed policy on stipend policy:

**Stipends**

**Background:**

The Board has asked that staff review the potential policy of granting stipends for employees who obtain additional certifications through additional training or education. In June, 2005, the Board granted stipends of 5% to be granted to Sheriff’s Deputies who performed K-9 responsibilities and Forensics Team responsibilities. At that time, the Sheriff indicated that these were the only positions in the department that he felt should be granted the stipend.

Since that time, several employees have approached me about receiving the 5% stipend as well for receiving various certifications.

**Discussion:**

There are many positions in the County that are eligible for various types of certifications that must be taken into consideration. Some of these include:

<b>Master Treasurer</b>	<b>Master Commissioner of the Revenue</b>	<b>Certified Registrar</b>
<b>Microsoft Certified System Engineer</b>	<b>Certified Municipal Clerk</b>	<b>Certified Building Official</b>
<b>Polygraph Operator</b>	<b>SWAT Team</b>	<b>Accident Reconstruction</b>
<b>Breathalyzer Operator</b>	<b>Dive Team</b>	<b>Certified Planner (AICP)</b>
<b>Certified Public Accountant (CPA)</b>	<b>Building Trades Certifications (Plumbing, Electrical, Framing, etc.)</b>	<b>Certified Park &amp; Recreation Professional (CPRP)</b>
<b>Certified Public Library Administrator (CPLA)</b>	<b>ICMA Credentialed Manager</b>	<b>Certified Emergency Manager</b>
<b>Public Safety Instructor Certification</b>	<b>Certified Zoning Administrator</b>	<b>Certified Erosion Control Program Administrator</b>
<b>Certified Erosion Control Plan Reviewer</b>	<b>Certified Erosion Control Project Inspector</b>	<b>Master Governmental Deputy Treasurer</b>
<b>Certified Economic Developer</b>	<b>Certified Turf Specialist</b>	<b>Various Fire/EMS Certifications</b>
<b>Master Deputy Commissioner of the Revenue</b>	<b>Master Deputy Sheriff</b>	<b>Certified Human Resources Professional (CHRP)</b>
<b>Field Training Officer (FTO)</b>	<b>Microsoft Certified Professionals (MCPs)</b>	<b>FBI Academy Graduate/FEMA Emergency Management Graduate</b>

Currently, the County has a different pay scale for an Emergency Medical Technician (EMT) than a Paramedic in recognition of the difference in training levels. Along with that differential is a conscious designation that we need xx number of EMT’s and yy number of Paramedics as

opposed to letting the employees decide. The same holds true of Secretary I vs. Secretary II, County Planner vs. Senior Planner, Equipment Operator I vs. Equipment Operator II, etc.

The County encourages staff to further their certifications to improve their job skills in their current jobs. The County typically pays for the training, pays for the travel involved, and pays for the time away from the office to obtain the training. When the market studies are performed, these certifications are taken into account where possible in order to assign a pay range that is appropriate. For instance, if the minimum qualification for a network engineer was the Microsoft Certified System Engineer, that might command a higher salary range than a position where that was not a requirement.

The same dilemma applies for formal education. If a position description does not require a Master’s Degree, but an employee obtains one, we do not currently help pay for the classes or provide a stipend for obtaining the degree. If an Associates Degree is obtained, but not required for a job, we do not increase compensation for the position (Sheriff’s Deputies are a good example here).

Another dilemma as it relates to certifications received is that there is a great disparity in the rigors of obtaining many of the certifications. Some certifications rely heavily on life experiences and prior work history and very little on job expertise while others are quite rigorous in their testing requirements and research components. This inconsistency makes the application of a specific reward very difficult to manage.

**Recommendation:**

The County should encourage employees to obtain further training in their field of expertise. A highly educated workforce is critical to obtaining the vision set before us. It is staff’s recommendation that the County continue its practice of assisting employees in obtaining professional certifications and that upon completion, employees should be recognized publicly by the Board of Supervisors for their achievement. If, significant additional training for a specific task is required **by the County** of a segment of a larger group of employees, a plan may be considered for compensating the segment for that additional expertise needed.

General discussion ensued. The Board did not take formal action regarding the proposed stipend policy, however, they did request Mr. Huff to bring forth a draft tuition reimbursement program sometime in the future.

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**PLANNING COMMISSION COMPENSATION**

Chris Whitlow, Assistant County Administrator, shared with the Board the following 2001 - 2005 Compensation Survey for Planning Commission and BZA members as follows:

**2001 COMPENSATION SURVEY FOR PLANNING COMMISSION AND BZA MEMBERS – UPDATED IN 2005  
WHERE POSSIBLE**

LOCALITY	POPULATION 2000 CENSUS	PLANNING COMMISSION	BZA
<b>Accomack County</b> 2001 info	38,305	\$35 per meeting attended, + mileage	\$35 per meeting attended, + mileage
<b><u>Albemarle County</u></b>	79,236	\$ 4,100 per year; Chair \$5,600 per year. 3-4 mtgs x mo.	\$45 per mtg plus mileage for travel to mtgs; meetings 12-14/year.
<b>Arlington</b>		No pay	
<b><u>Augusta County</u></b>	65,615	\$75 per meeting and \$37.50 for any worksessions, plus mileage; meeting 1x mo. Plus occasional worksessions.	\$100 per meeting; 1 x mo. (BZA in Augusta Co reviews special use permits)
<b><u>Bedford County</u></b>		\$50 per meeting and 32.5 cents per mile	\$50 per meeting and 32.5 cents per mile
<b>Blacksburg, Town</b> 2001 info	39,573	no pay, reimbursement for mileage	no pay, reimbursement for mileage
<b>Botetourt County</b>	30,496	\$100 per meeting whether they meet or not	\$50 per meeting (as needed), with no additional payment for workshops, etc.
<b><u>Buena Vista</u></b>		No compensation	
<b>Chesapeake, City</b>	199,184	\$3,000 per year	no pay, can be compensated for



2001 info			mileage
<b><u>Chesterfield County</u></b>	259,903	16,470 per year; meetings 1 x mo. (which starts at 12:30 p.m. and usually runs past 10 p.m.), commissioners average about 4 additional meetings (work sessions, community meetings, etc.) a month.	\$6,300 per year.
<b>Christiansburg, Town</b> 2001 info	16,947	\$25 per meeting, the council member and town manager on the commission receive no pay	\$25 per meeting
<b><u>Culpeper, Town</u></b> 2001 info	9,664	\$100 per month	joint venture with county, town pays \$25 per month, county pays \$25 per month
<b>Danville, City</b> 2001 info	48,411	no compensation	\$10 per meeting
<b><u>Dinwiddie County</u></b>	24,533	\$100. per meeting (not to exceed that amount per month) and no mileage. Meetings may be few or many but the monthly salary does not change.	\$100. (no mileage) plus one conference and VAZO seminar per year.
<b><u>Floyd County</u></b>		32.5 cents for mileage and \$30 per meeting	No Pay
<b><u>Franklin County</u></b>		32.5 cents for mileage and \$25 per meeting	32.5 cents for mileage and \$25 per meeting
<b>Front Royal, Town</b> 2001 info	13,589	\$75 per meeting, one meeting per month, plus work sessions 2-3 per year	\$50 per month
<b>Gloucester County</b>		\$25 per meeting	
<b>Henry County</b>		\$100 per meeting	\$100 per meeting
<b>Loudoun County</b> 2001 info	169,599	\$13,500 per year, plus expenses Chair \$14,200 per year	Info not provided in prior survey
<b>Middlesex County</b> 2001 info	9,932	\$40 per meeting	\$40 per meeting
<b>Montgomery County – 2001 info</b>	83,869	\$25 per meeting, 2 per month	\$25 per meeting, 2 per month
<b>Orange County</b> 2001 info	25,881	\$75 per meeting, + mileage for any site visits	\$75 per meeting, + mileage for any site visits
<b>Pittsylvania County</b>		\$2400 per year; Chairman \$3000 per year	\$200 per meeting; Chairman \$250 per meeting / does not get paid if not present
<b><u>Prince William County</u></b> 2001 info	280,813	\$9600 per year; meetings 2 x mo. Chair 10,200 per year.	Info not provided in prior survey
<b>Rappahannock</b> 2001 info	6,983	\$20 per meeting	\$25 per meeting
<b><u>Richmond County</u></b>		\$50 per meeting	
<b>Shenandoah Co.</b> 2001 info	35,075	\$65 per meeting, 10 meetings per year	\$50 per meeting, meetings as needed
<b>South Boston, Town</b>	8,491	\$25 per meeting attended	\$15 per meeting attended

Roanoke County	85,778	\$4,000 per year, considered part time employee; chair gets \$5000 per year; 2 regular meetings per month	\$1,200 per year, considered contractual employee, once a month meetings
<u>Spotsylvania</u>		\$400 per month for 2 meetings	
<u>Stafford County</u>	92,446	\$6000 per year; meetings 2 x mo. (work session 5:30 - 7:00 p.m. meeting 7:30 p.m. - 10 p.m or longer) in addition to some committee work at other times.	No compensation
<u>Vienna, Town</u> 2001 info	14,453	\$150 per month, Chair \$165 per month	\$75 per month, Chair \$90
Warren Co.	31,584	\$100 per meeting and work session; 1 x mo per meeting; separate worksession meeting	\$75 per meeting
Winchester City	23,585	no compensation	no compensation
<u>Town _____ of Woodstock</u> 2001 info	3,952	\$1,000 annually, Chair \$2,000 annually	
<u>Town of Wytheville</u> 2001 info	7,804	\$50 per month	no pay

General discussion endued. The Board recommended increasing the Planning Commission to **\$100.00/regular scheduled meetings and \$50.00/for each additional meetings plus mileage.** Staff will check to see if the proposed change has to be advertised for ordinance change.

The Board further recommended increasing the BZA stipends to ***\$50.00/regular scheduled meetings.***  
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**CASH PROFFERS/STAFFING AND CONSIDERATION**

Chris Whitlow, Assistant County Administrator, shared with the Board the following Planning and Community Development Department Work Projects and Tasks:

***Planning and Community Development Department  
Department Work Projects and Tasks***

Long Range Projects		
Project	Staff Assigned	Project Status – Notes
Comprehensive Plan Update	Frank, Lisa C.	Ongoing - Planning Commission
Zoning Ordinance Revision	Frank, Lisa C.	Follow Comp. Plan Adoption - Consultant Assistance
Subdivision Ordinance Revision	Frank, Jay, Lisa C.	Follow Comp. Plan Adoption - Consultant Assistance
Sign Ordinance Revisions	Lisa C., Erick	Commercial Sign Amendments to be Drafted
Mandatory Septic Tank Pumping	Frank	Policies, Program & Staff to be Developed
Rural Road Additions	Jay	Monitoring VDOT Legislation - Possible Amendments
Westlake Lighting	Frank	Agreements Signed. Installation to be Monitored
E&S program compliance	Jay	Program Amendments Drafted; Compliance Review
Lower Blackwater River TMDL	Jay	
Rt. 122 Corridor, Westlake to Hales Ford Bridge, Land Use Study	Frank	Possibly Worked in w/ Comp Plan Land Use
Rocky Mount Source Water Protection	Jay	

Henry Co. Source Water Protection	Jay	
Cell Tower Ordinance Amendments	Lisa C., Frank	Complete; New Amendments drafted as needed
RFP for 3d party review for cell tower applications	Frank	Currently negotiating 3rd Party Contract
Short Term Rentals	Frank, Erick	
Noise Ordinance	Lisa C., Frank	Complete; Sheriff's Department to Implement
Lot Size in the A-1 Zone	Frank, Jay	
Open Space Plan	Frank, Lisa C.	Assistance from RVARC; Staff to Coordinate Deliverables
Historic Overlay District surrounding Booker T. Washington	Frank, Lisa C.	Assistance from RVARC; Staff to Coordinate Deliverables
Smith Mountain Lake Corridor Study	Frank	Working w/ VDOT Committee
VDOT Access Management	Frank	Awaiting VDOT Application Approval
Ordinance amendments for island subdivisions	Frank, Jay	Discuss at May Planning Commission Mtg.
Storage of vehicles, RV's, equipment on residential lots	Lisa C.	To be worked in as staff can address
Sewer study committee	Jay, Frank	Ongoing Work w/ Public Works and Developers
Pigg River Dam removal	Frank	
Planning Commission process study	Frank	Working W/ P.C. Subcommittee
Water Resource - Quality Inventory	Frank	Strategic Plan Item to be scheduled
Hillside Protection Ordinance	Frank	Strategic Plan Item to be scheduled
Environmental Quality Education	Frank	Strategic Plan Item to be scheduled
New Permitting Software	Planning, Bldg., IT	New Permitting System to be Researched & Implemented

**Staff Assistance Provided**

Board of Supervisors  
Planning Commission  
Board of Zoning Appeals  
Housing Board  
Development Review Team

**Grants Administered**

CDBG - Workforce

**Other Programs**

Internal Plumbing and Rehabilitation Program  
Auto Graveyard Compliance  
SML Septic Tank Compliance

**Ongoing/Daily Tasks**

Front Counter/Customer Service  
Staff reports

BOS, PC, BZA support:agendas,  
notices, postings, file set-up,  
binder preparation, minutes,  
recommendations, final orders,  
sign preparation  
Application processing  
Answer telephone inquiries  
Receiving and posting of bills  
Site plan reviews  
Subdivision reviews  
E&S plan reviews

Chairman Angell stated the County has to have a Capital Facilities plan in order to develop a Cash Proffers Program. The Zoning and Subdivision Ordinances will have to have major revisions made. Discussion was held whereby the Board noted the existing and proposed Planning staff positions may not be sufficient to address a cash proffer system with the current Planning Department project workload(s).

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**ANIMAL SHELTER OPTIONS**

Richard E. Huff, II, County Administrator, presented the following data on Animal Shelter Options.



Options for Municipal Animal Shelter

March 30, 2006

WHERE WE ARE TODAY

- ☐ The Shelter recently underwent a state inspection and passed in all areas with no issues of non-compliance for the 3<sup>rd</sup> straight year [See attachment # 1]
- ☐ The Shelter began using injection rather than gas for euthanasia entirely in May 2005
- ☐ For year 2005, Animal Control handled 1,263 animals
  - 12 animals on hand at the beginning of the year
  - 775 animals were picked up as strays
  - 3 animals were seized
  - 30 animals were involved in bite cases
  - 443 were owner surrenders



## WHERE ARE WE TODAY continued

- ☐ Animal Control Officers responded to 6,188 calls and resolved over the phone an additional 2,067 calls in 2005
- ☐ Shelter is currently open to the public a total of 12.25 hours per week and additional hours by appointment
- ☐ Current holding time per State Law is
  - Without a collar = 5 days
  - With a collar = 10 days
- ☐ Shelter currently holds animals
  - Without a collar = 8 days
  - With a collar = 13
- ☐ Current Animal Control operating budget is \$147,165

## BEST PRACTICES TO INCREASE ADOPTION RATES



- ☐ Allow volunteers into shelter to provide socialization for adoptable animals, administrative functions and fundraising
  - Volunteer must abide by rules and regulations and sign a liability waiver
- ☐ Work with local SPCA-type organizations for fundraising, foster families and veterinary care
- ☐ Obtain professional training for ACO's to learn how to screen animals for behavioral or temperament problems
  - There are video taped programs available
- ☐ Provide more convenient open hours to the public
  - Such as some evening and weekend hours
- ☐ Allow public to handle animals that have been screened and are available for adoption
  - Children under 8 years old would not be allowed to handle animals prior to adoption
- ☐ Pro-actively work with **approved** rescue and SPCA-type organizations to transfer animals out of the pound
- ☐ Hold dogs and cats who have been deemed good adoption candidates past normal kill date in lieu of another who may not be as good
- ☐ Work with local Veterinarian's to provide low cost spay/neuter to animals adopted from the pound through an agreement
- ☐ Vaccinate puppies under the age of 6 months as they enter the pound against parvo and distemper to prevent infestation

## DEFINING THE DIRECTION



- ☐ What does the Board expect from Animal Control to best serve our community?
- ☐ What are the goals of a municipal shelter?
- ☐ What is meant by low-kill?
- ☐ What are the options?
- ☐ What are the costs?

### WHAT DOES THE BOARD EXPECT?

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- ☐ For the shelter to meet state guidelines and regulations
- ☐ That the public be appropriately served
- ☐ For the shelter to be managed in a cost effective manner while being sensitive to the community



### WHAT DOES THE COMMUNITY EXPECT ?

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- ☐ Good shelter care
- ☐ Appropriate medical care
- ☐ Strong concerted effort to find good homes for **adoptable** animals
  - Adoptable animals include only those animals eight weeks of age or older, that have manifested no sign of a behavioral or temperamental defect that could pose a health or safety risk or otherwise make the animal unsuitable for placement as a pet, and have manifested no sign of a hopeless disease, injury, or congenital or hereditary condition that adversely affects the health of the animal.



### HOW DOES THE STATE CODE DEFINE GOOD SHELTER CARE?

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- ☐ Adequate food
- ☐ Adequate water
- ☐ Adequate shelter that is properly cleaned
- ☐ Adequate space in the primary enclosure for the particular type of animal depending upon its age, size, species, and weight
- ☐ Adequate exercise
- ☐ Adequate care, treatment, and transportation
- ☐ Veterinary care when needed or to prevent suffering or disease transmission



**Code of Virginia**

**§ 3.1-796.68. Care of animals by owner; penalty.**

- A. Each owner shall provide for each of his companion animals:
1. Adequate feed;
  2. Adequate water;
  3. Adequate shelter that is properly cleaned;
  4. Adequate space in the primary enclosure for the particular type of animal depending upon its age, size, species, and weight;
  5. Adequate exercise;
  6. Adequate care, treatment, and transportation; and
  7. Veterinary care when needed or to prevent suffering or disease transmission.

The provisions of this section shall also apply to every pound, animal shelter, or other releasing agency, and every foster care provider, dealer, pet shop, exhibitor, kennel, groomer, and boarding establishment.



**WHAT IS APPROPRIATE MEDICAL CARE?**

- Injured and obviously sick animals should receive immediate veterinary care, this includes euthanasia when appropriate
- All animals should be assessed upon intake for possible medical issues
- All puppies less than 6 months old should receive a booster DHLPP vaccination upon intake to aid in the prevention of disease transmission – cost is approximately \$2.00 per puppy
- If necessary, affected animals should be de-loused, treated for fleas, ticks and mange

**HOW TO ACHIEVE A CONCERTED RE-HOMING EFFORT?**



- ☐ Maintain operation hours convenient to the public
- ☐ Extend holding times when space allows
- ☐ Work proactively with local rescue and SPCA-type organizations by making direct contact to arrange for transfer of animals
- ☐ Post pictures of adoptable animals in the local newspaper and on the internet
- ☐ Advertise and hold periodic public adoption events in conjunction with local and regional rescue and SPCA-type organizations
- ☐ Allow volunteers into the shelter to help socialize and maintain the mental health of shelter animals

## WHAT IS MEANT BY LOW KILL?

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It depends on who you ask...

- It's not so much the definition as the intent that is important...

The intent of a low-kill policy is one where all healthy and treatable animals are attempted to be saved through a pro-active policy which includes rehabilitation and adoption programs.



## Range of Options for Consideration

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- ☐ Continue to operate the pound “as is”
  - ☐ Modify current operation to function more like a SPCA-type adoption center, but with no affiliation
  - ☐ Modify current operation to work with local SPCA-type groups under a set of written guidelines
  - ☐ Municipality contracts with a private SPCA-type organization to provide shelter services
- 

## Option 1 – CONTINUE CURRENT SOP

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- ☐ Current operations result in a very high euthanasia rate of 85.6%.
    - Of the 14.4% not euthanized:
      - ☐ Only 5.6% were adopted
      - ☐ 5.1% were reclaimed by owner
      - ☐ 1.5 were transferred to another agency
      - ☐ 1.2% died in the facility
      - ☐ .08 were on hand at the end of the year
    - The state average euthanasia rate among municipal pounds is 48.6%
  - ☐ Can increase shelter hours by reducing hours ACO is available to spend in the field
  - ☐ No increase in budget
- 

Examples: Franklin County, Henry County, Mecklenburg County, Patrick County, Pittsylvania County





**Option 2 – OPERATE MORE LIKE AN ADOPTION CENTER**

- ☐ Offer low-cost, no-cost spay/neuter services
  - ☐ Accomplished through veterinary cooperation and/or a higher adoption fee
    - ☐ Ask local Veterinarians, by agreement, to offer low-cost spay/neuter at a specified price to people who adopt animals from the pound
      - ☐ The Veterinarians who agree will be added to a list given out to people who adopt
    - ☐ Some localities charge a higher adoption fee and then refund it after proof of spay/neuter has been presented

Examples: Amelia County, Bedford County, Clarke County, Fairfax County, Frederick County, Orange County, City of Salem, Washington County



**Option 2 – OPERATE MORE LIKE AN ADOPTION CENTER** *Continued*

- ☐ Encourage responsible pet care
- ☐ Improve shelter accessibility to the public to improve adoption rate through a comprehensive adoption program that offers weekend and evening hours
- ☐ Allow volunteers into facility to assist with adoption programs, socialization of animals, general administration
- ☐ Upgrade facility as budget allows to improve animal housing and employee working conditions by adding additional runs, exercise yard, adoption room, etc.
- ☐ Vaccinate animals against rabies by contracting with local veterinarians to provide in-shelter services
- ☐ Documentation that demonstrates all possible efforts have been made to save an animal before it is destroyed
- ☐ Hire a shelter manager at approximately 25k + benefits, increase budget by approx another 5-10k for additional shelter supplies or reduce available ACO field hours to provide greater shelter management



**Option 3 – FORM PARTNERSHIP WITH SPCA-TYPE ORGANIZATIONS**

- ☐ Forge operating agreements with willing local SPCA-type organizations to reduce the numbers of healthy, adoptable dogs and cats who are destroyed every year through:
  - ☐ Expanding adoption efforts to include off-site adoption events, internet adoptions and working with other animal rescue groups
  - ☐ Introducing shelter dog and cat socialization and training programs
    - ☐ Bringing in a trainer from a SPCA-type organization for early obedience training
  - ☐ Launching spay/neuter education programs
  - ☐ Forming a network of foster families to care for underage puppies and kittens, traumatized dogs and cats and injured animals
  - ☐ Offering pet retention programs to solve medical, environmental and behavioral problems allowing responsible families to continue to care for their pets
  - ☐ Fundraising to provide greater services to homeless pets and potential adopters
  - ☐ Allow approved volunteers to come into shelter to provide socialization and contact approved rescue organizations to let them know of available animals

Examples: Campbell County, Chesterfield County, Montgomery County, Pulaski County, Radford City,



### Option 4 – CONTRACT WITH PROVIDER FOR SERVICES

- ☐ Under a written agreement, the County will contract with a private organization to provide animal shelter services
  - Contract must address future budget increases
- ☐ Provider will be responsible for meeting all state requirements relating to §3.1-796.96 under the Code of Virginia and any local code requirements relating to animal shelter operations
- ☐ County will provide funding to provider, current bid is 41k annually

Examples: Amherst County, Culpeper County, Fauquier County, Roanoke City, Roanoke County, Rockbridge County, Harrisonburg City, Highland County, Botetourt County

### Hours of Operation Comparison

Municipality	Population	Hours of Public Operation		Total # of Hours	Hours by Appointment?	Adoption Rate
		M-F	Weekend			
Amelia County	12,100	MWTh 11a-12n	Sat 10a-2p	7	Yes	31%
Bedford County	63,600	T-F 12n - 5p	Sat 10a - 2p	24	No	21%
Campbell County Humane Society	51,300	12n - 5p	11a - 4p	31	No	86%
Clarke County	13,900	9a - 130p	Sat 9a - 4p     Sun 9a - 4p	36.5	No	73%
Culpepper County/Humane Society	41,200	MTThF 9a - 5p Wed 11a - 5p	Sat 8a - 1p	43	No	67%
Fauquier County/SPCA	62,900	MTh 10a - 7p TFS 10a - 4p	Su 12n - 4p	40	No	40%
Franklin County	50,100	TWF 8a - 10a TWF 3p - 345p Th 8a - 10a	Sat 8a - 12n Sat 1p - 345p	12.25	Yes	7%
Henry County	55,100	M-F 1130a - 1p M-F 430p - 530p	Sat 1130a - 1p	14	No	4%
Mecklenburg County	32,600	By appt only	By appt only	NA	Yes	11%
Orange County	29,300	T- F 10a - 6p	Sat 10a - 6p	48	No	58%
Patrick County	19,400	M-F 2p - 4p	Sat 9a - 12n	13	?	27%
Pittsylvania County	61,800	M-F 9a - 3p	NA	30	No	16%
Radford Animal Control	15,500	M-F 10a-2p	Sat 10a - 2p	24	No	59%
Salem City	25,100	M-F 10a - 430p	Sat & Sun 10a - 330p	43.5	Yes	43%
Washington County	52100	TWF 10a - 4p Th 1p - 4p	Sat 10 - 4p	27	No	34%

### Volunteer Comparison

Municipality	Population	RE Tax	Euthanized 2004	Total # of animals in facility 2004	Allow public to handle animals prior to adoption?	Do you allow volunteers in the shelter?	Work with SPCA?	Seek Private Donations?
Amelia County	12,100	.60/100	38%	1,059	Y	N	Y	Y
Appomattox County	13,900	.66/100	63%	774	Y	Y	Y	N
Bedford County	63,600	.65/100	66%	1,732	Y	N	Y	N
Campbell County Humane Society	51,300	NA	0%	1,538	Y	Y	Y	Y
Clarke County	13,900	.81/100	0%	730	Y	Y	Y	N
Culpepper County/Humane Society	41,200	.89/100	25%	2,005	Y	Y	Y	N
Fauquier County/SPCA	62,900	.99/100	37%	2,935	Y	Y	Y	Y
Franklin County	50,100	.53/100	85%	1,373	N	N	N	N
Frederick County	67,600	.73/100	62%	2,552	Y	Y	N	N
Henry County	55,100	.54/100	87%	1,975	N	N	Y	N
Mecklenburg County	32,600	.39/100	79%	590	N	N	N	N
Montgomery County	87,900	.67/100	54%	1,073	Y	Y	Y	N
Orange County	29,300	.81/100	25%	1,617	Y	Y	Y	Y
Pittsylvania County	61,800	.55/100	78%	284	N	N	N	N
Radford Animal Control	15,500	.73/100	8%	409	Y	Y	Y	Through Pound Pals
Rockbridge County/SPCA	21,500	.685/100	54%	2,476	Y	Y	NA	Y
Rockingham County/SPCA	71,600	.71/100	76%	4,691	Y	Y	Y	Y
Salem City	25,100	1.18/100	31%	1,288	Y	N	Y	HOPE Walk
Washington County	52100	.60/100	56%	2,951	Y	N	Y	N

The Board of Supervisors has asked staff to present a range of options for improvements to the operations of the Animal Shelter. As with any upgraded services, there are clearly choices to be made based on financial constraints and others to be made as a matter of

In order to fully appreciate the range of options, staff has presented a listing of best practices that have been gleaned from contacting 18 other jurisdictions in addition to several animal rescue groups and "SPCA type" facilities. From these best practices, the next step would seem to be to ascertain the extent to which there are partnerships that can be formed that can assist in providing expanded services. It is this process of seeking partnerships that would appear to be the next logical step in movement towards a better program and a lower euthanasia rate.

Since the discussion on improving our shelter services began, several organizations, including Planned Pethood and Angels of Assisi have offered their assistance in fundraising, providing vaccines and staff to immunize animals, puppy adoption assistance, and veterinary and adoption assistance. This positive response has been most welcomed and provides a platform upon which to build a better system.

Staff recommends that the County begin immediately to solicit groups and individuals to assist the County staff with the following:

1. voluntary or discounted vet care for DHLPP vaccination for puppies less than 6 months old
2. trauma assessment and treatment by licensed veterinarians
3. rabies vaccinations
4. low cost/no cost spay/neuter services
5. volunteer shelter assistance to help with
  - a. administrative functions
  - b. adoption coordination, foster family identification
  - c. fundraising assistance and coordination
  - d. marketing/public awareness of shelter services

Additionally, staff recommends that current staff be redeployed with the assistance of volunteers to keep the shelter open a minimum of 20 hours per week including Saturday hours. additional hours will be added as available from volunteers. Staff will evaluate the improvements and open hours and report back to the Board on whatever frequency is needed to monitor the improvements.

Mr. Huff presented three Options for the Animal Shelter Management with the Board recommending Option 3.

Mr. Bill Telford's written presentation was given to each Board member as follows:

***Franklin County Humane Society Inc. Proposal to Manage Animal Shelter for Franklin County***

***Answers to questions from Board of Supervisors - March 21, 2006***

**Why should the County pay the Humane Society to operate the Animal Shelter when there are 3 Animal Control Officers?**

The Animal Control Officers are trained in enforcement, not shelter management. They are not at the Shelter enough hours to provide adequate animal care. Shelter management includes veterinary care for disease control and prevention and for treatment of injuries or illness, evaluation of animals for adoptability, promotion of animals on websites and in media, convenient hours of operation, and requires a policy that allows adopters to handle animals before adoption.

If there is question about the accountability of Animal Control Officers, putting them on the road full time answering calls will allow establishment of the same reporting system that Sheriff's Deputies are required to follow. This will require far greater accountability than being assigned to sit down at the shelter.

**Why not have the Animal Control Officers open the Shelter more hours?**

Just opening the shelter more hours will not solve the problems or reduce the killing. Opening more hours will not provide the veterinary care, marketing of the animals, and change in policy to allow the animals to be handled before adoption needed to increase adoptions and decrease the killing. Requiring Animal Control to open more hours will also limit the amount of time for Animal Control to respond to calls for assistance.

In 1999, when the 3<sup>rd</sup> Animal Control Officer was hired, the position was to be Shelter Operator. Even though the shelter was open more hours, the conditions did not improve. Adoptions did not increase. Euthanasia did not decrease. AC enforcement and shelter management are 2 different professions. Both require extensive training and support services. Will the board increase the

AC budget to provide veterinary care, medical supplies, digital camera, website access and an advertising budget which are required for proper shelter management and adoption of animals?

**Why not have an ACO keep the shelter open more hours and have the HS provide veterinary services, medical supplies, adoption counselors, and an advertising budget?**

We need to have a staff member responsible for coordinating these services. We are stretching our staff and volunteers and other veterinary clinics to the limit with our efforts to rescue animals from the shelter in addition to the other services that we provide. Our spay/neuter clinic is essential to reducing pet overpopulation. Without our services, the numbers of animals at the shelter would be following the population growth upwards and you will soon be spending money on bricks & mortar to increase capacity at the shelter.

**Why not use volunteers instead of a paid Humane Society Shelter Manager?**

County liability would prevent use of volunteers in the shelter managed by Animal Control. The skills needed are far beyond the skill level of volunteers. Shelter management requires extensive knowledge and training including knowledge of state law, cleaning and veterinary protocol, animal care & evaluation, adoption counseling, state reporting requirements, computer and marketing skills.

**Under what conditions should shelter be operated?**

The Humane Society will follow all state regulations pertaining to operation of shelters.

**Who pays the bill to operate shelter?**

The Humane Society proposed a fee charged to the County of \$113.50 per day or \$41,410.00 per year to manage the Animal Shelter for the County. Please see the proposed budget for details (attached). The agreement will be by a fixed price contract.

**Is there a blank check on vet expenses?**

There will be no change in cost to the County on veterinary expenses. The Humane Society will assume responsibility for shelter animals veterinary costs including examinations, immunizations, flea/tick control, de-worming, nail trimming, spaying/neutering before adoption. The County will be responsible for veterinary costs incurred when Animal Control Officers respond to calls to pick up injured animals the same as they do now.

**Why is the county responsible for vet expenses for injured animals that the animal control officer picks up and brings in?**

State laws mandate provision of adequate veterinary care by owners and animal agencies. If the injured animal can be identified by tags or microchip, the owner is responsible for veterinary costs.

**How much money is the county currently spending for vet care for injured animals brought in by the animal control officer?**

\$2,500.00 is included in the 2005/2006 County budget for professional services which also covers veterinary fees for the rabies clinics run by the County. The rabies clinics costs are partially offset by fees charged per immunization. County veterinary expenses July 2005-March 2006:

July-129.36  
 August- 14.00  
 September- 161.20  
 October- 208.00  
 November-90.50  
 December- 494.95  
 January- 53.74  
 February- 30.00  
 March- 117.55  
 Rabies Clinic-2577.72  
 Total- \$3877.65

**Why does the Humane Society not take over treatment for them?**

Our clinic is a spay/neuter clinic and does not have equipment to treat trauma. We do not have an adequate level of donations to pay veterinary bills for injured animals, but do so when funds allow.

**Will free trustee labor be used?**

Yes. Tammy Javier has spoken with Sheriff Overton and Billy Overton and both have assured her that there will be no problem with providing trustee labor if the Humane Society is managing the Animal Shelter.

**How do we control the public interface with trustees?**

The Humane Society would follow the Sheriff’s Department instructions on supervision of trustees. The trustees would not interact with the public. Our proposed Shelter Manager and our Executive Director have previous experience working with people fulfilling community service requirements.

**How would dogs not suitable for adoption be handled?**

The dogs would be evaluated for adoptability by the Shelter Manager. Our Executive Director and our Veterinarian would also be available for evaluations. No dogs deemed vicious or dangerous will be adopted.

**Will this be a “no kill” shelter?**

We do not promote the idea of a “no kill” shelter. A good goal would be that no healthy adoptable animals are euthanized. We will work toward that goal by promoting spay/neuter to address pet overpopulation. We will give adoptable animals the best chance to get adopted by promoting them on our website and in ads and by holding special adoption events.

**Does the Franklin County Humane Society have an affiliation with PETA?**

No, we are separate organizations.

**What about liability insurance?**

The Humane Society will be covered under our liability policy which is included in the proposed daily fees.

HUMANE SOCIETY estimated costs for managing Animal Shelter			
Admin	Licenses, Permits	\$200.00	Humane Society
Admin	Office Supplies	\$500.00	
Admin	Postage	\$390.00	
Insurance	Liability	\$500.00	
Insurance	Workers Comp	\$452.00	
Maintenance	Cleaning supplies	\$400.00	
Marketing	Advertising	\$1,200.00	
Personnel	Health Insurance	\$3,000.00	
Personnel	Medical Shots	\$200.00	
Personnel	Full Time Salary/Wages	\$24,000.00	
Personnel	Part Time Salary/Wages	\$8,568.00	
Personnel	FICA- (full time) - employer match	\$1,836.00	
Personnel	FICA (part time) - employer match	\$655.45	Humane Society
Personnel	VEC insurance tax	\$349.00	
Professional Fees	Accountant	\$360.00	
Professional Fees	Legal	\$0.00	Humane Society
Shelter Supplies	Veterinary Medical Supplies	\$6,600.00	
TOTAL ESTIMATED COSTS		\$49,210.45	
Provided by Humane Society			
Advertising, Veterinary			
Fundraising/Donations Medical Supplies		-\$7,800.00	
Total management costs		\$41,410.45	
Humane Society Management Fee = \$113.50 per day		\$41,427.50	
Services provided by the Humane Society:			
Shelter Management			

Supervision of shelter management by Humane Society Executive  
Director

Veterinarians  
Veterinary Assistants  
Euthanasia Technicians  
Marketing/ Advertising/  
Website  
Fundraising  
Veterinary supplies and equipment.  
Volunteers

**Proposed shelter  
hours:**

Open to the public 42 hours a week  
9 am to 3 pm, 7 days a  
week

Staffed 8 am to 4 pm, 7 days a week

General discussion ensued.

Board consensus was to move forward with Option Three of Mr. Huff's presentation. . The Board wanted to encourage volunteer partnership with the County to help bring better management to the Animal Control Shelter to have a better result. Trustees will still be used at the Animal Control Shelter. The Board directed staff to offer a positive press release of the big picture, moving forward with Option Three and what can be done with the head of each organization offering positive comments.

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**RECLASSIFICATIONS**

Richard E. Huff, II, County Administrator, hopes to address various issues with some problem areas for some classes of County positions from a salary stand point in next year's budget. As an example, Mr. Huff advised the Board truck drivers at the Landfill current start at \$10.50/hr. and this salary is not adequate to draw CDL licensed applicants from the private sector. Mr. Huff advised the Board staff will be researching the market and will bring a full report back to the Board.

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**HISTORICAL SOCIETY FUNDING/SPACE**

Russ Johnson, Gills Creek District and current President of the Historical Society noted the group has moved from the Retail Merchant's building and is seeking additional space. Mr. Johnson visited the Didlake Property and recommends the Board consider two years of free rent with trustee labor assisting with the build out of the Didlake Property, snow removal (\$500.00), and utilities. The estimated cost for the build out has a \$20,000 price tag and Mr. Johnson requested the Board to fund the request. Mr. Johnson stated there were approximately 300 members and felt the government has a role of preserving the history of the community. The Board urged Mr. Johnson to seek funding from the Rocky Mount Town Council. The Board will support up to \$20,000 upon the condition that the Board will not commit funds after the two year lease is complete.

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**PPEA GUIDELINES**

Bonnie N. Johnson, Assistant County Administrator, presented the Board with the following provisions of the PPEA Guidelines:

**PROVISIONS OF THE PPEA**

1) WHAT IS THE PPEA? If the Board chooses to pass the resolution to institute PPEA procurement Guidelines for the County, here are the results:

- You designate PPEA Officer to accept proposals and administer the program according to State Code—the name is included in the resolution and in the Guidelines;
- You amend the procurement policies to include the finding that these Guidelines are advantageous to the County for reasons given in the resolution;
- The Guidelines set forth the procedures to be followed in submitting solicited or unsolicited proposals;
- The County makes the Guidelines available publicly (post on the website, post other public places like the library and our information board, an ad or two as to where a copy may be obtained);

- The County must follow all guidelines on reviewing proposals and will likely need to hire assistance;
- An unsolicited proposal pays the County a review fee of \$20,000 and more if there are costs beyond that amount; solicited proposals do not repay those costs to the locality;
- There are Freedom of Information requirements that must be adhered to in accepting and reviewing proposals;
- If the County takes an unsolicited proposal and decides to review it, it advertises for similar proposals for a period of 45 days, and other places. The PPEA Officer answers any questions from those who may want to submit a proposal;
- The County reviews the proposals and decides whether to proceed to consider one or more proposals, or not to proceed. The County retains the right to reject any proposal at any time prior to the execution of an interim or comprehensive agreement;
- There is information that must be included in the proposals set forth in the adopted Guidelines—including Project Financing (pp. 6-10);
- There are evaluation criteria in the Guidelines (pp. 10-12);
- The County can form a Working Group to negotiate an interim and later a comprehensive agreement on the project. These are the agreements which set the project in motion.
- The comprehensive agreement is filed with the State Auditor of Public Accounts.

2) WHAT FALLS TO THE COUNTY:

- The County passes the PPEA resolution and guidelines, with the required finding.
- The County will need to have consultants on board to help review the proposals, and would need your permission to advertise or negotiate for these services. It is possible that the Western VA Water Authority may be a source of assistance at a reasonable cost. THEREFORE THE BOARD WOULD NEED TO AUTHORIZE PROCUREMENT AND/OR NEGOTIATION FOR THE REQUIRED SKILLS.
- The County will own the project that results unless it decides to provide a donation to the project through its IDA.
- The amount of County financial contribution is a matter of negotiation.
- All other factors are also a matter of negotiation, such as size of facility, service area, design, operations, fees, rates, etc.
- The County can reject proposals up until it signs and interim or comprehensive agreement. It would return any collected fees not used.
- Probably financing duties; potentially O&M. Construction is likely through the PPEA agreement.
- The County will be the licensed entity and must meet all State and Federal requirements, as well as any locally imposed through the SUP process.
- The County will want to closely inspect all of the projects as it progresses and seek milestone conferences.
- The County may need additional staff and equipment as it develops its role in the facility.

**Franklin County, Virginia**

**Public-Private Education Facilities and Infrastructure Act Guidelines**

**ADOPTED**

**March 30, 2006**

**Franklin County, Virginia**

**Public-Private Education Facilities and Infrastructure Act Guidelines**

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I. Introduction

The Board of Supervisors of Franklin County, Virginia has adopted these Guidelines to provide guidance for private entities seeking to have the County approve qualifying projects under the Virginia Public-Private Education Facilities and Infrastructure Act of 2002, Chapter 22.1 of Title 56 of the Code of Virginia, 1950, as amended, §§56-575.1, et seq (the “PPEA”).

The County in adopting these Guidelines and naming its PPEA officer charged with the responsibility of open communication with private entities seeking to have projects approved, states that its policy is to provide these Guidelines and PPEA Procedures at no cost to the County, and that the County is requiring private entities submitting unsolicited proposals to pay a proposal review fee and to be responsible for additional fees that the County might incur in engaging experts and other consultants to review and advise on the proposal (See II. C.); in providing public improvements to the citizens of Franklin County in the most economical and in a fair and equitable manner giving equal opportunity to all private entities who choose to submit proposals; and, in insuring the betterment of the lives of the citizens of Franklin County, Virginia.

II. General Provisions

A. Proposal Submission

A proposal may be either solicited by the County or delivered by a private entity on an unsolicited basis. Proposers will be required to follow a two-part proposal submission process consisting of an initial conceptual phase and a detailed phase. The initial phase of the proposal should contain specified information on proposer qualifications and experience, project characteristics, project financing, anticipated public support or opposition, or both, and project benefit and compatibility (See V.A.). The detailed proposal should contain specified deliverables (See V.B.).

The PPEA allows private entities to include innovative financing methods, including the imposition of user fees or service payments, in a proposal. Such financing arrangements may include the issuance of debt instruments, equity or other securities or obligations, including, if applicable, the portion of the tax-exempt private activity bond limitation amount to be allocated annually to the Commonwealth of Virginia pursuant to the Economic Growth and Tax Relief



Reconciliation Act of 2001 for the development of education facilities, or other qualifying facilities such as “exempt facilities” under Internal Revenue Code §142, using public-private partnerships, and to provide for carryovers of any unused limitation amount. The PPEA is a flexible development tool that allows the use of innovative financing techniques. Depending on the County's authority and the circumstances of each transaction, financing options might include the use of special purpose entities, sale and lease back transactions, enhanced use leasing, property exchanges, development agreements, conduit financing and other methods allowed by law.<sup>i</sup>

Proposals should be prepared simply and economically, providing a concise description of the proposer's capabilities to complete the proposed qualifying project and the benefits to be derived from the project by the County. Project benefits to be considered are those occurring during the construction, renovation, expansion or improvement phase and during the life cycle of the project. Proposals also should include a scope of work and a financial plan for the project, containing enough detail to allow an analysis by the County of the financial feasibility of the proposed project. The County may establish criteria by which the proposer may provide clarification to the submission. The cost analysis of a proposal should not be linked solely to the financing plan as the County may determine to finance the project through other available means.

### **B. Affected Local Jurisdictions**

Any private entity requesting approval from or submitting a conceptual or detailed proposal to the County must provide each affected local jurisdiction with a copy of the private entity's request or proposal by certified mail, express delivery or hand delivery. Affected local jurisdictions that are not responsible public entities under the proposed qualifying project shall have 60 days from the receipt of the request or proposal to submit written comments to the County and to indicate whether the proposed qualifying project is compatible with the (i) local comprehensive plan, (ii) local infrastructure development plans, or (iii) capital improvements budget or other government spending plan. Comments received within the 60-day period shall be given consideration by the County, and no negative inference shall be drawn from the absence of comment by an affected local jurisdiction.<sup>ii</sup>

### **C. Proposal Review Fee**

The County shall receive an analysis of the proposal from appropriate<sup>iii</sup> internal staff or outside advisors or consultants with relevant experience in determining whether to enter into an agreement with the private entity. No fee may be charged by the County to process, review or evaluate any proposal solicited by the County and submitted under the PPEA. The County charges a fee of \$20,000 to the private entity to cover the costs of processing, reviewing, and evaluating any unsolicited proposal or competing unsolicited proposal submitted under the PPEA, to cover the costs of outside attorneys, consultants, and financial advisors. The County has determined that such fee is reasonable in comparison to the level of expertise required to review the proposal and is not to be greater than the direct costs associated with evaluating the proposed qualifying project. “Direct costs” may include (i) the cost of staff time required to process, evaluate, review and respond to the proposal and (ii) the out-of-pocket costs of attorneys, consultants and financial advisors.

The proposal fee is intended to cover all of the initial review process. If the cost of reviewing the proposal exceeds the proposal fee, the County may assess the proposer the additional costs deemed necessary to evaluate the proposal. By its submission of an unsolicited proposal, the proposer agrees to being assessed and to paying such additional reasonable costs.

For rejected proposals, the County will refund any portion of fees paid in excess of its direct costs associated with evaluating the proposal. If the cost of reviewing the proposal is less than the proposal fee, the County will refund to the proposer the excess fee. As noted in Section IV.A.1. below, fees will be refunded entirely if the County decides not to proceed to publication and conceptual-phase review of an unsolicited proposal.

### **D. Virginia Freedom of Information Act**

Generally, proposal documents submitted by private entities are subject to the Virginia Freedom of Information Act (“FOIA”). In accordance with § 2.2-3705 A 56 of FOIA, such documents are releasable if requested, except to the extent that they relate to (i) confidential proprietary information submitted to the County under a promise of confidentiality or (ii) memoranda, working papers or other records related to proposals if making public such records

would adversely affect the financial interest of the public or private entity or the bargaining position of either party.

Subsection 56-575.4 G of the PPEA imposes an obligation on the County and any affected local jurisdiction to protect confidential proprietary information submitted by a private entity or operator. When the private entity requests that the County not disclose information, the private entity must (i) invoke the exclusion when the data or materials are submitted to the County or before such submission, (ii) identify the data and materials for which protection from disclosure is sought, and (iii) state why the exclusion from disclosure is necessary. A private entity may request and receive a determination from the County as to the anticipated scope of protection prior to submitting the proposal. The County is authorized and obligated to protect only confidential proprietary information, and thus will not protect any portion of a proposal from disclosure if the entire proposal has been designated confidential by the proposer without reasonably differentiating between the proprietary and non-proprietary information contained therein.

Upon receipt of a request that designated portions of a proposal be protected from disclosure as confidential and proprietary, the County shall determine whether such protection is appropriate under applicable law and, if appropriate, the scope of such appropriate protection, and shall communicate its determination to the proposer. If the determination regarding protection or the scope thereof differs from the proposer's request, then the County should accord the proposer a reasonable opportunity to clarify and justify its request. Upon a final determination by the County to accord less protection than requested by the proposer, the proposer should be accorded an opportunity to withdraw its proposal. A proposal so withdrawn should be treated in the same manner as a proposal not accepted for publication and conceptual-phase consideration as provided in section IV.A.1 below, except that the County may reimburse itself for actual costs incurred.

Once a comprehensive agreement has been entered into, and the process of bargaining of all phases or aspects of the comprehensive agreement is complete, a County shall make available, upon request, procurement records in accordance with Section 2.2-4342.<sup>iv</sup>

#### **E. Use of Public Funds**

Virginia constitutional and statutory requirements as they apply to appropriation and expenditure of public funds apply to any interim or comprehensive agreement entered into under the PPEA. Accordingly, the processes and procedural requirements associated with the expenditure or obligation of public funds shall be incorporated into planning for any PPEA project or projects.

#### **F. Applicability of Other Laws**

Nothing in the PPEA shall affect the duty of a County to comply with all other applicable law not in conflict with the PPEA. The applicability of the Virginia Public Procurement Act (the "VPPA") is as set forth in the PPEA.

#### **G. Individual Responsible to Receive Proposals and Respond to Inquiries**

The individual assigned the responsibility of receiving proposals under the PPEA and also to respond to inquiries as well as to hold informational meetings and to insure the fair treatment of all who submit proposal shall be:

Richard E. Huff, II, County Administrator  
40 East Court Street  
Rocky Mount, VA 24151

### **III. Solicited Proposals**

The County may issue Requests for Proposals (RFPs), inviting proposals from private entities to develop or operate qualifying projects.<sup>v</sup> The County is using a two-part proposal process consisting of an initial conceptual phase and a detailed phase. An RFP may invite proposers to submit proposals on individual projects identified by the County. In such a case the County will set forth in the RFP the format and supporting information that is required to be submitted, consistent with the provisions of the PPEA.

The RFP should specify, but not necessarily be limited to, information and documents that must accompany each proposal and the factors that will be used in evaluating the submitted proposals. The RFP should be posted in such public areas as are normally used for posting of the County's notices, including the County's website. Notices will also be published in a newspaper or other publications of general circulation and advertised in *Virginia Business Opportunities* and posted on the Commonwealth's electronic procurement site.<sup>vi</sup> The RFP will contain or incorporate by reference other applicable terms and conditions, including any unique capabilities or qualifications that will be required of the private entities submitting proposals. Pre-proposal conferences will be held as deemed appropriate by the County.

#### **IV. Unsolicited Proposals**

The PPEA permits the County to receive, evaluate and select for negotiations unsolicited proposals from private entities to develop or operate a qualifying project.

The County may publicize its needs and may encourage interested parties to submit unsolicited proposals subject to the terms and conditions of the PPEA. When such proposals are received without issuance of an RFP, the proposal shall be treated as an unsolicited proposal.

##### **A. Decision to Accept and Consider Unsolicited Proposal; Notice**

1. Upon receipt of any unsolicited proposal or group of proposals and payment of the required proposal review fee by the proposer or proposers, the County should determine whether to accept the unsolicited proposal for publication and conceptual-phase consideration. If the County determines not to accept the proposal and proceed to publication and conceptual-phase consideration, it should return the proposal, together with all fees and accompanying documentation, to the proposer.

2. If the County chooses to accept an unsolicited proposal for conceptual-phase consideration, it shall post a notice in a public area regularly used by the County for posting of public notices for a period of not less than 45 days. The County will also publish the same notice for a period of not less than 45 days in one or more newspapers or periodicals of general circulation in the jurisdiction to notify any parties that may be interested in submitting competing unsolicited proposals. In addition, the notice will also be advertised in *Virginia Business Opportunities* and on the Commonwealth's electronic procurement website.<sup>vii</sup> The notice shall state that the County (i) has received and accepted an unsolicited proposal under the PPEA, (ii) intends to evaluate the proposal, (iii) may negotiate an interim or comprehensive agreement with the proposer based on the proposal, and (iv) will accept for simultaneous consideration any competing proposals that comply with the procedures adopted by the County and the PPEA. The notice also shall summarize the proposed qualifying project or projects, and identify their proposed locations. Copies of unsolicited proposals shall be available upon request, subject to the provisions of FOIA and § 56-575.4 G of the PPEA. The County's PPEA officer is encouraged to answer questions from private entities that are contemplating submission of a competing unsolicited proposal.<sup>viii</sup>

##### **B. Initial Review by the County at the Conceptual Stage**

1. Only proposals complying with the requirements of the PPEA that contain sufficient information for a meaningful evaluation and that are provided in an appropriate format will be considered by the County for further review at the conceptual stage. Formatting suggestions for proposals at the conceptual stage are found at Section V.A.

2. The County will determine at this initial stage of review whether it will proceed using:

- a. Standard procurement procedures consistent with the VPPA; or
- b. Guidelines developed by the County that are consistent with procurement of other than professional services through "competitive negotiation" as the term is defined in § 2.2-4301 of the Code of Virginia. The County may proceed using such guidelines only if it makes a written determination that doing so is likely to be advantageous to the County and the public based upon either (i) the probable scope, complexity or priority<sup>ix</sup> of need; (ii) the risk sharing including guaranteed cost

or completion guarantees<sup>x</sup>, added value or debt or equity investments proposed by the private entity<sup>xi</sup>; or (iii) increase in funding, dedicated revenue<sup>xii</sup> or other economic benefit that would otherwise not be available.

3. After reviewing the original proposal and any competing proposals submitted during the notice period, the County may determine:

- (i) not to proceed further with any proposal,
- (ii) to proceed to the detailed phase of review with the original proposal,
- (iii) to proceed to the detailed phase with a competing proposal, or
- (iv) to proceed to the detailed phase with multiple proposals.

In the event that more than one proposal will be considered in the detailed phase of review, the County will consider whether the unsuccessful proposer should be reimbursed for costs incurred in the detailed phase of review, and such reasonable costs may be assessed to the successful proposer in the comprehensive agreement.

4. Discussions between the County and private entities about the need for infrastructure improvements shall not limit the ability of the County to later determine to use standard procurement procedures to meet its infrastructure needs.<sup>xiii</sup> The County retains the right to reject any proposal at any time prior to the execution of an interim or of a comprehensive agreement.<sup>xiv</sup>

## **V. Proposal Preparation and Submission**

### **A. Format for Submissions at Conceptual Stage**

A County requires that proposals at the conceptual stage contain information in the following areas: (i) qualifications and experience, (ii) project characteristics, (iii) project financing, (iv) anticipated public support or opposition, or both, (v) project benefit and compatibility and (vi) any additional information as the County may reasonably request to comply with the requirements of the PPEA. Suggestions for formatting information to be included in proposals at this stage include:

#### **1. Qualification and Experience**

- a. Identify the legal structure of the firm or consortium of firms making the proposal. Identify the organizational structure for the project, the management approach and how each partner and major subcontractor in the structure fits into the overall team.
- b. Describe the experience of the firm or consortium of firms making the proposal and the key principals involved in the proposed project including experience with projects of comparable size and complexity. Describe the length of time in business, business experience, public sector experience and other engagements of the firm or consortium of firms. Include the identity of any firms that will provide design, construction and completion guarantees and warranties and a description of such guarantees and warranties.
- c. Provide the names, addresses, and telephone numbers of persons within the firm or consortium of firms who may be contacted for further information.
- d. Provide a current or most recently audited financial statement of the firm or firms and each partner with an equity interest of twenty percent or greater.
- e. Identify any persons known to the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to The Virginia State and Local Government Conflict of Interest Act, Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2.

#### **2. Project Characteristics**

- a. Provide a description of the project, including the conceptual design. Describe the proposed project in sufficient detail so that type and intent of the project, the location, and the communities that may be affected are clearly identified.
- b. Identify and fully describe any work to be performed by the County.
- c. Include a list of all federal, state and local permits and approvals required for the project and a schedule for obtaining such permits and approvals.
- d. Identify any anticipated adverse social, economic and environmental impacts of the project. Specify the strategies or actions to mitigate known impacts of the project.
- e. Identify the projected positive social, economic and environmental impacts of the project.
- f. Identify the proposed schedule for the work on the project, including the estimated time for completion.
- g. Propose allocation of risk and liability for work completed beyond the agreement's completion date, and assurances for timely completion of the project.
- h. State assumptions related to ownership, legal liability, law enforcement and operation of the project and the existence of any restrictions on the County's use of the project.
- i. Provide information relative to phased or partial openings of the proposed project prior to completion of the entire work.

### 3. Project Financing

- a. Provide a preliminary estimate and estimating methodology of the cost of the work by phase, segment, or both.
- b. Submit a plan for the development, financing and operation of the project showing the anticipated schedule on which funds will be required. Describe the anticipated costs of and proposed sources and uses for such funds.
- c. Include a list and discussion of assumptions underlying all major elements of the plan.
- d. Identify the proposed risk factors and methods for dealing with these factors.
- e. Identify any local, state or federal resources that the proposer contemplates requesting for the project. Describe the total commitment, if any, expected from governmental sources and the timing of any anticipated commitment.
- f. Identify the amounts and the terms and conditions for any revenue sources.<sup>xv</sup>
- g. Identify any aspect of the project that could disqualify the project from obtaining tax-exempt financing.<sup>xvi</sup>

### 4. Project Benefit and Compatibility

- a. Identify who will benefit from the project, how they will benefit and how the project will benefit the overall community, region, or state.
- b. Identify any anticipated public support or opposition, as well as any anticipated government support or opposition, for the project.
- c. Explain the strategy and plans that will be carried out to involve and inform the general public, business community, and governmental agencies in areas affected by the project.

- d. Describe the anticipated significant benefits to the community, region or state including anticipated benefits to the economic condition of the County and whether the project is critical to attracting or maintaining competitive industries and businesses to the County or the surrounding region
- e. Compatibility with the local comprehensive plan, local infrastructure development plans, the capital improvements budget or other government spending plan.

### **B. Format for Submissions at Detailed Stage**

If the County decides to proceed to the detailed phase of review with one or more proposals, the following information should be provided by the private entity unless waived by the County:

1. A topographical map (1:2,000 or other appropriate scale) depicting the location of the proposed project;
2. A list of public utility facilities, if any, that will be crossed by the qualifying project and a statement of the plans of the proposer to accommodate such crossings;
3. A statement and strategy setting out the plans for securing all necessary property<sup>xvii</sup>;
4. A detailed listing of all firms that will provide specific design, construction and completion guarantees and warranties, and a brief description of such guarantees and warranties;
5. A total life-cycle cost specifying methodology and assumptions of the project or projects and the proposed project start date. Include anticipated commitment of all parties; equity, debt, and other financing mechanisms; and a schedule of project revenues and project costs. The life-cycle cost analysis should include, but not be limited to, a detailed analysis of the projected return, rate of return, or both, expected useful life of facility and estimated annual operating expenses.
6. A detailed discussion of assumptions about user fees or rates, and usage of the projects.
7. Identification of any known government support or opposition, or general public support or opposition for the project. Government or public support should be demonstrated through resolution of official bodies, minutes of meetings, letters, or other official communications.
8. Demonstration of consistency with appropriate local comprehensive or infrastructure development plans or indication of the steps required for acceptance into such plans.
9. Explanation of how the proposed project would impact local development plans of each affected local jurisdiction.
10. Identification of any known conflicts of interest or other disabilities that may impact the County's consideration of the proposal, including the identification of any persons known to the proposer who would be obligated to disqualify themselves from participation in any transaction arising from or in connection to the project pursuant to The Virginia State and Local Government Conflict of Interest Act, Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2.
11. Additional material and information as the County may reasonably request.

## **VI. Proposal Evaluation and Selection Criteria**

The following items shall be considered in the evaluation and selection of PPEA proposals.

### **A. Qualifications and Experience**

Factors to be considered in either phase of the County's review to determine whether the proposer possesses the requisite qualifications and experience include:

1. Experience with similar projects;
2. Demonstration of ability to perform work;
3. Leadership structure;
4. Project manager's experience;
5. Management approach;
6. Financial condition; and
7. Project ownership.

#### **B. Project Characteristics**

Factors to be considered in determining the project characteristics include:

1. Project definition;
2. Proposed project schedule;
3. Operation of the project;
4. Technology; technical feasibility;
5. Conformity to laws, regulations, and standards;
6. Environmental impacts;
7. Condemnation impacts;
8. State and local permits; and
9. Maintenance of the project.

#### **C. Project Financing**

Factors to be considered in determining whether the proposed project financing allows adequate access to the necessary capital to finance the project include:

1. Cost and cost benefit to the County;
2. Financing and the impact on the debt or debt burden of the County;
3. Financial plan;
4. Estimated cost; and
5. Life-cycle cost analysis.

#### **D. Project Benefit and Compatibility**

Factors to be considered in determining the proposed project's compatibility with the appropriate local or regional comprehensive or development plans include:

1. Community benefits;
2. Community support or opposition, or both;
3. Public involvement strategy;

4. Compatibility with existing and planned facilities; and
5. Compatibility with local, regional, and state economic development efforts.

**E. Other Factors.**

Other factors that may be considered by a County in the evaluation and selection of PPEA proposals include:

1. The proposed cost of the qualifying project;
2. The general reputation, industry experience, and financial capacity of the private entity;
3. The proposed design of the qualifying project;
4. The eligibility of the project for accelerated documentation, review, and selection:
5. Local citizen and government comments:
6. Benefits to the public;
7. The private entity’s compliance with a minority business enterprise participation plan or good faith effort to comply with the goals of such plan;
8. The private entity’s plans to employ local contractors and residents; and
9. Other criteria that the County deems appropriate.<sup>xviii</sup>

**VII. Interim and Comprehensive Agreements**

Prior to developing or operating the qualifying project, the selected private entity shall enter into a comprehensive agreement with the County. Prior to entering a comprehensive agreement an interim agreement may be entered into that permits a private entity to perform compensable activities related to the project.<sup>xix</sup> The County may designate a working group to be responsible for negotiating any interim or comprehensive agreement. Any interim or comprehensive agreement shall define the rights and obligations of the County and the selected proposer with regard to the project.

**A. Interim Agreement Terms**

The scope of an interim agreement may include but not limited to:

1. Project planning and development;
2. Design and engineering;
3. Environmental analysis and mitigation;
4. Survey;
5. Ascertaining the availability of financing for the proposed facility through financial and revenue analysis;
6. Establish a process and timing of the negotiation of the comprehensive agreement; and
7. Any other provisions related to any aspect of the development or operation of a qualifying project that the parties may deem appropriate prior to the execution of a comprehensive agreement.<sup>xx</sup>

**B. Comprehensive Agreement Terms**



The scope of the comprehensive agreement shall include but not be limited to:

1. The delivery of maintenance, performance and payment bonds or letters of credit in connection with any acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of the qualifying project;
2. The review of plans and specifications for the qualifying project by the County;
3. The rights of the County to inspect the qualifying project to ensure compliance with the comprehensive agreement;
4. The maintenance of a policy or policies of liability insurance or self-insurance reasonably sufficient to insure coverage of the project and the tort liability to the public and employees and to enable the continued operation of the qualifying project;
5. The monitoring of the practices of the private entity by the County to ensure proper maintenance;
6. The terms under which the private entity will reimburse the County for services provided;
7. The policy and procedures that will govern the rights and responsibilities of the County and the private entity in the event that the comprehensive agreement is terminated or there is a material default by the private entity including the conditions governing assumption of the duties and responsibilities of the private entity by the County and the transfer or purchase of property or other interests of the private entity by the County;
8. The terms under which the private entity will file appropriate financial statements on a periodic basis.
9. The mechanism by which user fees, lease payments, or service payments, if any, may be established from time to time upon agreement of the parties. Any payments or fees shall be set at a level that are the same for persons using the facility under like conditions and that will not materially discourage use for the qualifying project;
  - a. A copy of any service contract shall be filed with the County;
  - b. A schedule of the current user fees or lease payments shall be made available by the private entity to any member of the public upon request;
  - c. Classifications according to reasonable categories for assessment of user fees may be made;
10. The terms and conditions under which the County may contribute financial resources, if any, for the qualifying project;
11. The terms and conditions under which existing site conditions will be assessed and addressed, including identification of the responsible party for conducting the assessment and taking necessary remedial action; and <sup>xxi</sup>
12. Other requirements of the PPEA.

Any changes in the terms of the interim or comprehensive agreement as may be agreed upon by the parties from time to time shall be added to the interim or comprehensive agreement by written amendment.

The comprehensive agreement may provide for the development or operation of phases or segments of a qualifying project. <sup>xxii</sup>

March 30, 2006

WHEREAS, the County of Franklin, Virginia (the "County") is a political subdivision of the Commonwealth of Virginia exercising public and essential governmental functions pursuant to the Constitution and laws of the Commonwealth of Virginia; and

WHEREAS, Virginia State Legislature has adopted the Public-Private Education Facilities and Infrastructure Act of 2002, Va. Code Section 56-575.1, *et seq.* ("PPEA") and legal counsel has reviewed the PPEA and the Revised Model Guidelines created by a working group of the Virginia State Legislature and has submitted to the Board PPEA Guidelines in the same form as that attached hereto and incorporated herein by this reference as Exhibit A;

WHEREAS, the County's PPEA Guidelines will facilitate ongoing procurement through public private partnerships, including, but not limited to, procurement of wastewater treatment facilities, distribution lines and related appurtenances as well as other qualifying public projects; and

NOW, THEREFORE, be it resolved by the Board of Supervisors of Franklin County, Virginia that the Board hereby adopts the County's PPEA Guidelines, and it is further resolved that the Administrator of the County is hereby authorized and directed to take such other and further action as is necessary in this regard.

AND IT IS HEREBY FURTHER resolved that Richard E. Huff, II, be named the PPEA officer.

And the County does hereby further find that in processing proposals both solicited and unsolicited, it will follow procurement guidelines that are consistent with other than professional services through "competitive negotiation," as that term is defined in Section 2.2-4301 and makes a written determination that doing so is likely to be advantageous to the County and to the public based upon 1) the probable scope, complexity or priority of need 2) the risk sharing including guaranteed costs of completion guarantees, added value, debt or equity investments proposed by a private entity or 3) increase in funding dedicated revenue or other economic benefit that would not otherwise be available to the County.

And it is further found that the County's procurement policy shall be amended at Section IV. C.3.c to reflect the foregoing finding and the use of competitive negotiation for PPEA proposals.

This resolution shall take effect immediately.

**(RESOLUTION #13-03-2006)**

BE IT THEREFORE RESOLVED by the Board to adopt the aforementioned PPEA Guidelines and Resolution as staff recommends and the Board names Richard E. Huff, II, County Administrator as the PPEA Officer.

MOTION BY: Russ Johnson  
SECONDED BY: Charles Poindexter  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Mitchell, Poindexter, Wagner, Johnson, Quinn & Angell  
NAYS: Hurt

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**ADVERTISING COUNTY BUDGET FOR 2006-2007**

**(RESOLUTION #14-03-2006)**

BE IT THEREFORE RESOLVED by the Board to authorize staff to advertise for public hearing the proposed 2006-2007 budget as presented with the following tax rates:

<b><i>Real Estate</i></b>	<b><i>\$0.53per \$100 assessed valuation</i></b>
<b><i>Personal Property</i></b>	<b><i>\$1.67 per \$100 assessed valuation</i></b>
<b><i>Machinery &amp; Tools</i></b>	<b><i>\$0.60/\$0.27 per \$100 assessed valuation</i></b>
<b><i>Merchants Capital</i></b>	<b><i>\$1.08 per \$100 assessed valuation</i></b>

MOTION BY: Charles Wagner  
SECONDED BY: Charles Poindexter  
VOTING ON THE MOTION WAS AS FOLLOWS:  
AYES: Mitchell, Hurt, Poindexter, Wagner, Johnson, Quinn & Angell

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Chairman Angell recessed the meeting until *Monday, April 17<sup>th</sup>, 2006 @ 7:30 P.M.* at Benjamin Franklin Middle School to conduct the public hearing for the County/School Budget for 2006-2007.

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W. WAYNE ANGELL  
CHAIRMAN

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RICHARD E. HUFF, II  
COUNTY ADMINISTRATOR

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<sup>i</sup> Language adopted by the Work Group.  
<sup>ii</sup> 56-575.6.  
<sup>iii</sup> 56.575.4.A. (last paragraph).  
<sup>iv</sup> 56-575.16.5.  
<sup>v</sup> 56-575.3:1.A.  
<sup>vi</sup> 56-575.16.4.  
<sup>vii</sup> 56-575.16.4.  
<sup>viii</sup> Language adopted by the Work Group.  
<sup>ix</sup> 56-575.16.  
<sup>x</sup> 56-575.16.  
<sup>xi</sup> 56-575.16.  
<sup>xii</sup> 56-575.16.  
<sup>xiii</sup> Language adopted by the Work Group.  
<sup>xiv</sup> 56-575.3.D.  
<sup>xv</sup> 56-575.4.A.7.  
<sup>xvi</sup> Language adopted by the Work Group.  
<sup>xvii</sup> 56-575.4.A.3.  
<sup>xviii</sup> 56-575.4.A.10.  
<sup>xix</sup> Language adopted by the Work Group.  
<sup>xx</sup> 56-575.4.A.10.  
<sup>xxi</sup> Language adopted by the Work Group.  
<sup>xxii</sup> 56-575.9.G.